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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,475	03/23/2004	Katsunori Onishi	040894-7016

CONFIRMATION NO. 1702

FORMALITIES LETTER



\*OC000000012886446\*

09629  
MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RECEIVED**


JUN 09 2004

MORGAN, LEWIS & BOCKIUS LLP

08/12/2004 WARDELRI 00000087 500310 10806475  
01 FC:1001 770.00 DA  
02 FC:1051 130.00 DA

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
ATTORNEY DOCKET NO.: 040894-7016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Katsunori ONISHI

Application No.: 10/806,475

Filed: March 23, 2004

For: **DISK APPARATUS**

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Group Art Unit: 2655

Confirmation No.: 1702

Commissioner for Patents  
**MAIL STOP MISSING PARTS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed June 7, 2004.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

- ☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Assignment

- ☒ An assignment of the invention to **FUNAI ELECTRIC CO., LTD.** and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

				Fee Code	
Basic Fee				\$770.00	1001/2001
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	6 - 20 =	0	\$18/\$9 each=	\$0.00	1202/2202
Independent Claims	2 - 3 =	0	\$86/\$43 each=	\$0.00	1201/2201
Multiple dependent claim(s), if any			\$290/\$145	\$0.00	1203/2203
SUB-TOTAL =				\$770.00	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	1051/2051
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)		\$0.00	1251/2251
		\$420/\$210 (2 Months)			1252/2252
		\$950/\$475 (3 Months)			1253/2253
		\$1480/\$740 (4 Months)			1254/2254
		\$2010/\$1005 (5 Months)			1255/2255
SUB-TOTAL =				\$900.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$0.00	1053
Assignment Recordation Fee			\$ 40.00	\$40.00	8021
TOTAL FILING FEE =				\$940.00	

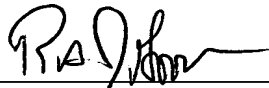
## 8. Fee Payment

- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_ representing the total fee due.
- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 9. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☒ Submission of Replacement Drawings with 4 sheets of drawings
- ☒ Claim for Priority
- ☒ Certified copy of priority document: Japanese Patent Application No.: 2003-001518
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other:

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Robert J. Goodell Reg. No. 41,040

Date: August 9, 2004

**CUSTOMER NO. 09629****MORGAN, LEWIS & BOCKIUS LLP**

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PATENT  
ATTORNEY DOCKET NO.: 040894-7016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Katsunori ONISHI

Application No.: 10/806,475

Confirmation No.: 1702

Filed: March 23, 2004

Group Art Unit: 2655

For: **DISK APPARATUS**

Commissioner for Patents

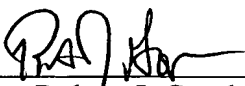
**SUBMISSION OF REPLACEMENT DRAWINGS**

Filed herewith are four (4) replacement sheets of drawings containing Figures 1, 2, 3, 4, 5, 6, 7, 8, and 9. These replacement sheets of drawings are submitted to improve the form of the drawings. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
Robert J. Goodell  
Reg. No. 41,040

Dated: August 9, 2004

Customer No. 009629  
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